

ECF

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:11-cv-07673-KBF**

McKenna et al v. Smart Technologies, Inc. et al
Assigned to: Judge Katherine B. Forrest
Case in other court: Illinois Northern, 1:11-cv-00583
Cause: 15:77 Securities Fraud

Date Filed: 10/28/2011
Jury Demand: Plaintiff
Nature of Suit: 850
Securities/Commodities
Jurisdiction: Federal Question

Plaintiff**Thomas McKenna**

represented by **Kenneth G Gilman**
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TERMINATED: 06/17/2011

V.

Movant**New Jersey Building Laborers
Pension Fund**

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Movant**Employees' Retirement System of the
Puerto Rico Electric Power Authority**

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Movant

**City of Miami General Employees'
and Sanitation Employees'
Retirement Trust**

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Movant

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V.

Defendant

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Defendant

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Defendant

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Defendant

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Defendant

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Defendant**Michael J Mueller**

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Defendant**Robert C Hagerty**

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Defendant

Morgan Stanley & Co., Inc.
TERMINATED: 08/22/2011

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Defendant

Deutsche Bank Securities, Inc.

TERMINATED: 08/22/2011

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Douglas W Henkin

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ATTORNEY TO BE NOTICED

John Kenneth Theis

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Nathan P. Eimer

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Scott A. Edelman

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ATTORNEY TO BE NOTICED

Defendant

RBC Dominion Securities, Inc.

TERMINATED: 08/22/2011

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Douglas W Henkin

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ATTORNEY TO BE NOTICED

Defendant

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Jonathan Warren Muenz

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ATTORNEY TO BE NOTICED

Michael D. Mann

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Defendant

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ATTORNEY TO BE NOTICED

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Defendant

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Date Filed	#	Docket Text
01/26/2011	<u>1</u>	COMPLAINT filed by Thomas McKenna; Jury Demand. Filing fee \$ 350, receipt number 0752-5646726.(Weininger, Michael) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 01/26/2011)
01/26/2011	<u>2</u>	CIVIL Cover Sheet (Weininger, Michael) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 01/26/2011)
01/26/2011	<u>3</u>	ATTORNEY Appearance for Plaintiff Thomas McKenna by Michael B. Weininger (Weininger, Michael) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 01/26/2011)
01/26/2011		CASE ASSIGNED to the Honorable Edmond E. Chang. Designated as Magistrate Judge the Honorable Geraldine Soat Brown. (nsf,) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 01/26/2011)
02/01/2011	<u>4</u>	MOTION by Movants New Jersey Building Laborers Pension Fund, Employees' Retirement System of the Puerto Rico Electric Power Authority to appoint counsel <i>and Appoint Lead Plaintiff</i> (Attachments: # <u>1</u> Text of Proposed Order)(Heffner, Matthew) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 02/01/2011)
02/01/2011	<u>5</u>	NOTICE of Motion by Matthew Thomas Heffner for presentment of motion to appoint counsel, <u>4</u> before Honorable Edmond E. Chang on 2/7/2011 at 08:30 AM. (Heffner, Matthew) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 02/01/2011)
02/01/2011	<u>6</u>	MEMORANDUM by Employees' Retirement System of the Puerto Rico Electric Power Authority, New Jersey Building Laborers Pension Fund in support of motion to appoint counsel, <u>4</u> <i>and Appoint Lead Plaintiff</i> (Heffner, Matthew) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 02/01/2011)
02/01/2011	<u>7</u>	AFFIDAVIT by Movants Employees' Retirement System of the Puerto Rico Electric Power Authority, New Jersey Building Laborers Pension Fund in Support of MOTION by Movants New Jersey Building Laborers Pension Fund, Employees' Retirement System of the Puerto Rico Electric Power Authority to appoint counsel <i>and Appoint Lead Plaintiff</i> <u>4</u> (Attachments: # <u>1</u> Exhibit A - Certifications, # <u>2</u> Exhibit B - Loss Chart, # <u>3</u> Exhibit C - PSLRA Notice, # <u>4</u> Exhibit D - Milberg Resume, # <u>5</u> Exhibit E - AFT Resume, # <u>6</u> Exhibit F - SHH Resume)(Heffner, Matthew) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 02/01/2011)

02/01/2011	<u>8</u>	MOTION by Movant City of Miami General Employees' and Sanitation Employees' Retirement Trust to appoint counsel <i>Motion of the City of Miami General Employees' and Sanitation Employees' Retirement Trust for Appointment as Lead Plaintiff and Approval of its Selection of Lead Counsel</i> (Josefson, Avi) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 02/01/2011)
02/01/2011	<u>9</u>	NOTICE of Motion by Avi Josefson for presentment of motion to appoint counsel, <u>8</u> before Honorable Edmond E. Chang on 2/7/2011 at 08:30 AM. (Josefson, Avi) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 02/01/2011)
02/01/2011	<u>10</u>	MEMORANDUM by City of Miami General Employees' and Sanitation Employees' Retirement Trust in support of motion to appoint counsel, <u>8</u> <i>Memorandum of Law in Support of the Motion of the City of Miami General Employees' and Sanitation Employees' Retirement Trust for Appointment as Lead Plaintiff and Approval of its Selection of Lead Counsel</i> (Josefson, Avi) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 02/01/2011)
02/01/2011	<u>11</u>	DECLARATION of Avi Josefson regarding motion to appoint counsel, <u>8</u> <i>Declaration of Avi Josefson in Support of the Motion of the City of Miami General Employees' and Sanitation Employees' Retirement Trust for Appointment as Lead Plaintiff and Approval of its Selection of Lead Counsel</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H)(Josefson, Avi) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 02/01/2011)
02/07/2011	<u>12</u>	MOTION for Leave to Appear Pro Hac Vice Filing fee \$ 50, receipt number 0752-5678350. (Gilman, Kenneth) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 02/07/2011)
02/07/2011	<u>13</u>	Designation of Local Counsel by Thomas McKenna (Gilman, Kenneth) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 02/07/2011)
02/07/2011	<u>14</u>	MINUTE entry before Honorable Edmond E. Chang:On or before 2/15/2011, Plaintiff, current movants, and any other interested persons shall file a memorandum addressing whether the time periods in 15 U.S.C. § 78u-4(a)(3) are governed by the start dates arising from the "first filed action," 15 U.S.C. § 78u-4(a)(3)(A)(ii). The first filed action appears to have been DeMontravel v. SMART Tech., Inc, No. 10-cv-9054, in the Southern District of New York, but that case, as well as another case filed in that district before the instant case, were both voluntarily dismissed without prejudice on February 4, 2011. The question presented is what dates now govern the 20-day notice publication date, 78u-4(a)(3)(A)(i) and the 60-day deadline to move to serve as lead plaintiff, 78u-4(a)(3)(A)(i)(II). Mailed notice (slb,) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 02/07/2011)
02/07/2011	<u>15</u>	MINUTE entry before Honorable Edmond E. Chang: Status hearing held. Motion <u>4</u> by Movants New Jersey Building Laborers Pension Fund, Employees' Retirement System of the Puerto Rico Electric Power Authority for appointment as Lead plaintiff and approval of selection of Lead and Liaison Counsel is entered and continued to 2/16/2011 at 9:30a.m. Motion <u>8</u> by

		Movant City of Miami General Employees' and Sanitation Employees' Retirement Trust for appointment as lead plaintiff and approval of its selection of Lead Counsel is entered and continued to 2/16/2011 at 9:30a.m. Status hearing set for 2/16/2011 at 9:30a.m. Mailed notice (slb,) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 02/07/2011)
02/07/2011	16	MINUTE entry before Honorable Edmond E. Chang: Motion 12 by Kenneth G. Gilman for leave to appear pro hac vice on behalf of Thomas McKenna is granted. Mailed notice (slb,) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 02/07/2011)
02/09/2011	17	ATTORNEY Appearance for Defendant Smart Technologies, Inc. by Hille von Rosenvinge Sheppard (Sheppard, Hille) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 02/09/2011)
02/09/2011	18	ATTORNEY Appearance for Plaintiff Thomas McKenna by Kenneth G Gilman (Gilman, Kenneth) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 02/09/2011)
02/11/2011	19	MEMORANDUM text entry,,, 14 by Thomas McKenna <i>Plaintiff's Memorandum in Response to Court's Order of February 7, 2011 Concerning Notice</i> (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C)(Gilman, Kenneth) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 02/11/2011)
02/14/2011	20	STATUS Report by Deutsche Bank Securities, Inc., Morgan Stanley & Co., Inc., RBC Dominion Securities, Inc., Smart Technologies, Inc. (Sheppard, Hille) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 02/14/2011)
02/14/2011	21	ATTORNEY Appearance for Defendants Deutsche Bank Securities, Inc., Morgan Stanley & Co., Inc., RBC Dominion Securities, Inc. by Nathan P. Eimer (Eimer, Nathan) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 02/14/2011)
02/15/2011	22	ATTORNEY Appearance for Defendants Deutsche Bank Securities, Inc., Morgan Stanley & Co., Inc., RBC Dominion Securities, Inc. by John Kenneth Theis (Theis, John) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 02/15/2011)
02/15/2011	23	RESPONSE by Plaintiff Thomas McKenna (Attachments: # 1 Notice of Filing)(Heffner, Matthew) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 02/15/2011)
02/15/2011	24	MINUTE entry before Honorable Edmond E. Chang: The status hearing scheduled for 2/16/2011 at 9:30a.m. is reset to 2/16/2011 at 9:00a.m. Mailed notice (slb,) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 02/15/2011)
02/15/2011	25	MEMORANDUM text entry,,, 14 by City of Miami General Employees' and Sanitation Employees' Retirement Trust <i>in Response to the Court's Order of February 7, 2011, Concerning Notice</i> (Josefson, Avi) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 02/15/2011)

02/15/2011	26	DECLARATION of Avi Josefson regarding memorandum 25 of <i>Law of the City of Miami General Employees' and Sanitation Employees' Retirement Trust in Response to the Court's Order of February 7, 2011, Concerning Notice</i> (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I)(Josefson, Avi) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 02/15/2011)
02/16/2011	27	ATTORNEY Appearance for Movant City of Miami General Employees' and Sanitation Employees' Retirement Trust by Avi Josefson (Josefson, Avi) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 02/16/2011)
02/16/2011	28	MINUTE entry before Honorable Edmond E. Chang: Status hearing held. Cross responses to be filed by 2/28/2011 to the motions [4 and 8] for appointment of Lead Plaintiff and approval of selection of Lead Counsel. Cross replies to be filed by 3/3/2011. Status hearing set for 3/24/2011 at 9:45a.m.Mailed notice (slb,) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 02/16/2011)
02/17/2011	29	SUMMONS Issued as to Defendants Deutsche Bank Securities, Inc., Morgan Stanley & Co., Inc., RBC Dominion Securities, Inc., Smart Technologies, Inc. (nf,) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 02/18/2011)
02/18/2011	30	MOTION for Leave to Appear Pro Hac Vice Filing fee \$ 50, receipt number 0752-5722874. (Henkin, Douglas) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 02/18/2011)
02/18/2011	31	MOTION for Leave to Appear Pro Hac Vice Filing fee \$ 50, receipt number 0752-5722965. (Edelman, Scott) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 02/18/2011)
02/28/2011	32	ATTORNEY Appearance for Movants Employees' Retirement System of the Puerto Rico Electric Power Authority, New Jersey Building Laborers Pension Fund, SMT Institutional Investors by Matthew Thomas Heffner (Heffner, Matthew) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 02/28/2011)
02/28/2011	33	NOTICE by Employees' Retirement System of the Puerto Rico Electric Power Authority, New Jersey Building Laborers Pension Fund, SMT Institutional Investors re attorney appearance 32 and <i>Certificate of Service</i> (Heffner, Matthew) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 02/28/2011)
02/28/2011	34	RESPONSE by Movants Employees' Retirement System of the Puerto Rico Electric Power Authority, New Jersey Building Laborers Pension Fund, SMT Institutional Investors (Heffner, Matthew) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 02/28/2011)
02/28/2011	35	NOTICE by Employees' Retirement System of the Puerto Rico Electric Power Authority, New Jersey Building Laborers Pension Fund, SMT Institutional Investors re Response 34 and <i>Certificate of Service</i> (Heffner, Matthew) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 02/28/2011)

02/28/2011	36	RESPONSE by City of Miami General Employees' and Sanitation Employees' Retirement Trust in Support of MOTION by Movant City of Miami General Employees' and Sanitation Employees' Retirement Trust to appoint counsel <i>Motion of the City of Miami General Employees' and Sanitation Employees' Retirement Trust for Appointment as Lead Plai</i> 8 (Josefson, Avi) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 02/28/2011)
02/28/2011	37	MINUTE entry before Honorable Edmond E. Chang: Motion by Douglas W. Henkin to appear pro hac vice on behalf of defendants Morgan Stanley & Company, Deutsche Bank Securities, Inc. and RBC Dominion Securities, Inc. is granted. Mailed notice (slb,) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 02/28/2011)
02/28/2011	38	MINUTE entry before Honorable Edmond E. Chang: Motion by Scott A. Edelman to appear pro hac vice on behalf of defendants Morgan Stanley & Company, Deutsche Bank Securities, Inc. and RBC Dominion Securities, Inc. is granted. Mailed notice (slb,) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 02/28/2011)
03/01/2011	39	TRANSCRIPT OF PROCEEDINGS held on 02-07-2011 before the Honorable Edmond E. Chang. Court Reporter Contact Information: KRISTA BURGESON, Krista_Burgeson@ilnd.uscourts.gov, 312-435-5567. IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings. Redaction Request due 3/22/2011. Redacted Transcript Deadline set for 4/1/2011. Release of Transcript Restriction set for 5/31/2011. (Burgeson, Krista) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 03/01/2011)
03/01/2011	40	TRANSCRIPT OF PROCEEDINGS held on 02-16-2011 before the Honorable Edmond E. Chang. Court Reporter Contact Information: KRISTA BURGESON, Krista_Burgeson@ilnd.uscourts.gov, 312-435-5567. IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings. Redaction Request due 3/22/2011. Redacted Transcript Deadline set for 4/1/2011. Release of Transcript Restriction set for 5/31/2011. (Burgeson, Krista) [Transferred

		from Illinois Northern on 10/28/2011.] (Entered: 03/01/2011)
03/15/2011	41	MOTION by Defendants Deutsche Bank Securities, Inc., G A Fitch, Robert C Hagerty, Nancy L Knowlton, David A Martin, Morgan Stanley & Co., Inc., Michael J Mueller, Salim Nathoo, RBC Dominion Securities, Inc., Smart Technologies, Inc., Arvind Sodhani to transfer case <i>Pursuant to 28 U.S.C. § 1404(a)</i> (Eimer, Nathan) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 03/15/2011)
03/15/2011	42	MEMORANDUM by Deutsche Bank Securities, Inc., G A Fitch, Robert C Hagerty, Nancy L Knowlton, David A Martin, Morgan Stanley & Co., Inc., Michael J Mueller, Salim Nathoo, RBC Dominion Securities, Inc., Smart Technologies, Inc., Arvind Sodhani in support of motion to transfer case, 41 <i>Pursuant to 28 U.S.C. § 1404(a)</i> (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F)(Eimer, Nathan) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 03/15/2011)
03/15/2011	43	NOTICE of Motion by Nathan P. Eimer for presentment of motion to transfer case, 41 before Honorable Edmond E. Chang on 3/24/2011 at 09:45 AM. (Eimer, Nathan) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 03/15/2011)
03/16/2011	44	NOTIFICATION of Affiliates pursuant to Local Rule 3.2 by Smart Technologies, Inc. (Sheppard, Hille) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 03/16/2011)
03/16/2011	45	NOTIFICATION of Affiliates pursuant to Local Rule 3.2 by Deutsche Bank Securities, Inc., Morgan Stanley & Co., Inc., RBC Dominion Securities, Inc. (Eimer, Nathan) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 03/16/2011)
03/16/2011	46	MINUTE entry before Honorable Edmond E. Chang: Status hearing reset to 3/23/2011 at 9:15a.m. Hearing on defendants' motion 41 to transfer reset to 3/23/2011 at 9:15a.m. Mailed notice (slb,) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 03/16/2011)
03/16/2011	47	MINUTE entry before Honorable Edmond E. Chang: At the request of defendant Smart Technologies, Inc's attorney Hille von Rosenvinge Sheppard, the case will be placed back on the Court's docket for 3/24/2011. Status hearing reset to 3/24/2011 at 8:30a.m. Hearing on defendants' motion 41 to transfer reset to 3/24/2011 at 8:30a.m. Mailed notice (slb,) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 03/16/2011)
03/17/2011	48	ATTORNEY Appearance for Defendant Smart Technologies, Inc. by Andrew W. Stern (Stern, Andrew) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 03/17/2011)
03/21/2011	49	MOTION for Leave to Appear Pro Hac Vice Filing fee \$ 50, receipt number 0752-5816940. (Weinstein, Boaz) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 03/21/2011)
03/21/2011	50	MINUTE entry before Honorable Edmond E. Chang: Application by Boaz A. Weinstein to appear pro hac vice on behalf of defendant City of Miami General

		Employees' and Sanitation Employees' Retirement Trust is granted Mailed notice (slb,) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 03/21/2011)
03/22/2011	51	MINUTE entry before Honorable Edmond E. Chang:The Court has the applications for appointment as lead counsel under advisement. The status hearing and the venue-transfer motion 41 are entered and continued until April 6, 2011 at 10:00a.m. After appointment of lead counsel, the Court will order a response brief on the transfer motion. Mailed notice (slb,) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 03/22/2011)
03/22/2011	52	SUMMONS Returned Executed by Thomas McKenna as to Morgan Stanley & Co., Inc. on 2/22/2011, answer due 3/15/2011. (Gilman, Kenneth) (Incorrect pdf document linked -Docket Text Modified by Clerk's Office.). Modified on 3/23/2011 (et,). [Transferred from Illinois Northern on 10/28/2011.] (Entered: 03/22/2011)
03/22/2011	53	SUMMONS Returned Executed by Thomas McKenna as to Deutsche Bank Securities, Inc. on 2/24/2011, answer due 3/17/2011. (Gilman, Kenneth) (Docket Text Modified by Clerk's Office). Modified on 3/23/2011 (et,). [Transferred from Illinois Northern on 10/28/2011.] (Entered: 03/22/2011)
03/23/2011	54	AFFIDAVIT of Service filed by Movant City of Miami General Employees' and Sanitation Employees' Retirement Trust regarding Summons & Complaint served on Nathan P. Eimer Esq., Counsel for Defendant RBC Dominion Securities Inc. on March 22, 2011 (Weinstein, Boaz) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 03/23/2011)
03/23/2011	55	SUMMONS Returned Executed by Thomas McKenna as to Morgan Stanley & Co., Inc. on 2/24/2011, answer due 3/17/2011. (Gilman, Kenneth) (Docket Text Modified by Clerk's Office). Modified on 3/24/2011 (et,). [Transferred from Illinois Northern on 10/28/2011.] (Entered: 03/23/2011)
03/24/2011	56	MOTION by Defendants Deutsche Bank Securities, Inc., Morgan Stanley & Co., Inc., RBC Dominion Securities, Inc. For Entry of Proposed Scheduling Order (Attachments: # 1 Exhibit A)(Eimer, Nathan) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 03/24/2011)
03/24/2011	57	NOTICE of Motion by Nathan P. Eimer for presentment of motion for miscellaneous relief 56 before Honorable Edmond E. Chang on 4/6/2011 at 10:00 AM. (Eimer, Nathan) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 03/24/2011)
04/05/2011	58	MINUTE entry before Honorable Edmond E. Chang: The motion to enter the unopposed proposed scheduling order 56 is granted. The motion to transfer venue is entered and continued until 4/20/2011 at 8:30a.m., which will also serve as a status hearing date, and the competing applications for appointment as lead counsel remains under advisement. Mailed notice (slb,) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 04/05/2011)
04/05/2011	59	Scheduling Order Signed by the Honorable Edmond E. Chang on 4/5/2011:Mailed notice(slb,) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 04/05/2011)

04/06/2011	60	MINUTE entry before Honorable Edmond E. Chang: At the request of Avi Josefson and no objection by any of the parties, the hearing scheduled for 4/20/2011 is reset to 4/27/2011 at 9:00a.m. to allow Avi Josefson to observe the Jewish Holiday. Mailed notice (slb,) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 04/06/2011)
04/20/2011	61	ATTORNEY Appearance for Defendants Deutsche Bank Securities, Inc., Morgan Stanley & Co., Inc., RBC Dominion Securities, Inc. by Alexis Shaw Garmey (Garmey, Alexis) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 04/20/2011)
04/22/2011	62	MINUTE entry before Honorable Edmond E. Chang: The parties are advised that they need not appear at the 04/27/2011 status hearing. A decision on the appointment of lead plaintiff and lead counsel will be issued in the next week, and then the Court will set a briefing schedule on the transfer motion. Mailed notice (slb,) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 04/22/2011)
06/16/2011	63	MINUTE entry before Honorable Edmond E. Chang: Motion 4 of the SMT Institutional Investors for appointment as lead plaintiff is denied. Motion 8 of the City of Miami General Employees' and Sanitation Employees' Retirement Trust for appointment as lead plaintiff and approval of its selection of lead counsel is granted. [For further details see attached minute order]. Mailed notice (slb,) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 06/16/2011)
06/16/2011	64	MINUTE entry before Honorable Edmond E. Chang: Lead Plaintiff shall file a response to the venue-transfer motion [R. 41] on or before 07/08/11. Defendants shall reply on or before 07/22/11. Status hearing set for 08/25/11 at 8:30a.m. Mailed notice (slb,) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 06/16/2011)
06/17/2011	65	MOTION by counsel for Plaintiff Thomas McKenna to withdraw as attorney (Attachments: # 1 Text of Proposed Order)(Weininger, Michael) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 06/17/2011)
06/17/2011	66	NOTICE of Motion by Michael B. Weininger for presentment of motion to withdraw as attorney 65 before Honorable Edmond E. Chang on 6/22/2011 at 08:30 AM. (Weininger, Michael) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 06/17/2011)
06/17/2011	67	MINUTE entry before Honorable Edmond E. Chang: Motion 65 by Michael Weininger and Lupel Weininger LLP to withdraw as counsel for Plaintiff, Thomas McKenna is granted. Michael Weininger and Lupel Weininger LLP are granted leave to withdraw their appearances as local counsel for Plaintiff, Thomas McKenna. Mailed notice. (et,) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 06/20/2011)
07/08/2011	68	MEMORANDUM by City of Miami General Employees' and Sanitation Employees' Retirement Trust in Opposition to motion to transfer case, 41 (Josefson, Avi) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 07/08/2011)

07/08/2011	69	DECLARATION of Avi Josefson regarding memorandum in opposition to motion 68 (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E)(Josefson, Avi) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 07/08/2011)
07/22/2011	70	REPLY by Deutsche Bank Securities, Inc., G A Fitch, Robert C Hagerty, Nancy L Knowlton, David A Martin, Morgan Stanley & Co., Inc., Michael J Mueller, Salim Nathoo, RBC Dominion Securities, Inc., Smart Technologies, Inc., Arvind Sodhani to MOTION by Defendants Deutsche Bank Securities, Inc., G A Fitch, Robert C Hagerty, Nancy L Knowlton, David A Martin, Morgan Stanley & Co., Inc., Michael J Mueller, Salim Nathoo, RBC Dominion Securities, Inc., Smart Technologies, Inc., Arvind Sodhani to t 41 in <i>Further Support of Defendants' Motion to Transfer Venue pursuant to 28 U.S.C. Section 1404(a)</i> (Attachments: # 1 Declaration of Anthony Uhrick)(Sheppard, Hille) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 07/22/2011)
08/19/2011	71	NOTICE of Voluntary Dismissal by City of Miami General Employees' and Sanitation Employees' Retirement Trust : <i>As to the Underwriter Defendants Only</i> (Josefson, Avi) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 08/19/2011)
08/22/2011	72	MINUTE entry before Honorable Edmond E. Chang: Morgan Stanley & Co., Incorporated, Deutsche Bank Securities, Inc. and RBC Dominion Securities Inc. are dismissed as defendants in this action. The dismissal is without prejudice and without costs. Mailed notice. (et,) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 08/23/2011)
08/24/2011	73	MINUTE entry before Honorable Edmond E. Chang: Defendants' venue-transfer motion 41 is under advisement. Status hearing of 08/25/11 is reset to 09/15/11 at 8:30a.m. Mailed notice (slb,) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 08/24/2011)
09/13/2011	74	MINUTE entry before Honorable Edmond E. Chang: Defendants' venue-transfer motion 41 is still under advisement. Status hearing of 09/15/11 is reset to 10/05/11 at 8:30a.m. Mailed notice (slb,) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 09/13/2011)
10/05/2011	75	MINUTE entry before Honorable Edmond E. Chang: Status hearing held. Discussion held on the motion to transfer venue. A ruling on the motion to transfer will be issued promptly. Amended complaint to be filed on or before 11/04/2011. Status hearing held on 10/19/11 at 9:15 a.m. Mailed notice (slb,) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 10/05/2011)
10/06/2011	76	MINUTE entry before Honorable Edmond E. Chang: Leave of court is given to Nathan P. Eimer to withdraw his appearance on behalf of defendant, Morgan Stanley & Co. Mailed notice. (et,) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 10/07/2011)
10/11/2011	77	MINUTE entry before Honorable Edmond E. Chang: The minute order [76] dated 10/06/2011 is stricken. The appearance of Nathan P. Eimer is to be placed back on the docket. Mailed notice. (et,) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 10/11/2011)

10/14/2011	78	WRITTEN Opinion entered by the Honorable Edmond E. Chang on 10/14/2011: Defendants' motion to transfer, R. 41 , is granted. This case is transferred to the Southern District of New York. (For further details see Written Opinion). Mailed notice. (et,) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 10/17/2011)
10/28/2011	79	TRANSFERRED to the USDC for the Southern District of New York the electronic record. (et,) [Transferred from Illinois Northern on 10/28/2011.] (Entered: 10/28/2011)
10/28/2011	80	CASE TRANSFERRED IN from the United States District Court - District of Illinois Northern; Case Number: 1:11-cv-00583. Original file certified copy of transfer order and docket entries received. (pgu) (Entered: 10/28/2011)
10/28/2011		Magistrate Judge James C. Francis IV is so designated. (pgu) (Entered: 10/28/2011)
10/28/2011		Case Designated ECF. (pgu) (Entered: 10/28/2011)
10/28/2011		NOTE TO OUT OF STATE ATTORNEYS: Please visit the Court's website at http://www.nysd.uscourts.gov for information regarding admission to the S.D.N.Y. Bar and the CM/ECF Rules & Filing Instructions. (pgu) (Entered: 10/28/2011)
11/04/2011	81	AMENDED COMPLAINT amending 1 Complaint against G A Fitch, Robert C Hagerty, Nancy L Knowlton, David A Martin, Michael J Mueller, Salim Nathoo, Smart Technologies, Inc., Arvind Sodhani, Apax Partners, L.P., APAX Partners Europe Managers Ltd, Intel Corporation with JURY DEMAND.Document filed by Thomas McKenna. (Received in the night deposit box on 11/4/11 at 8:36pm) Related document: 1 Complaint filed by Thomas McKenna. (Attachments: # 1 Exhibit)(mro) (Entered: 11/08/2011)
11/08/2011	82	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,. Intel Corporation served on 11/7/2011, answer due 11/28/2011. Service was accepted by Scott Lascala, Managing Agent. Document filed by City of Miami General Employees' and Sanitation Employees' Retirement Trust. (Van Kwawegen, Jeroen) (Entered: 11/08/2011)
11/08/2011	83	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,. Apax Partners, L.P. served on 11/7/2011, answer due 11/28/2011. Service was accepted by Scott Lascala, Managing Agent. Document filed by City of Miami General Employees' and Sanitation Employees' Retirement Trust. (Van Kwawegen, Jeroen) (Entered: 11/08/2011)
11/08/2011	84	NOTICE OF APPEARANCE by Jeroen Van Kwawegen on behalf of City of Miami General Employees' and Sanitation Employees' Retirement Trust (Van Kwawegen, Jeroen) (Entered: 11/08/2011)
11/10/2011	85	NOTICE OF APPEARANCE by Jonathan Warren Muenz on behalf of APAX Partners Europe Managers Ltd, Apax Partners, L.P., G A Fitch, Robert C Hagerty, Nancy L Knowlton, David A Martin, Michael J Mueller, Salim Nathoo, Smart Technologies, Inc., Arvind Sodhani (Muenz, Jonathan) (Entered: 11/10/2011)

11/10/2011	<u>86</u>	NOTICE OF APPEARANCE by Michael D. Mann on behalf of APAX Partners Europe Managers Ltd, Apax Partners, L.P., G A Fitch, Robert C Hagerty, Nancy L Knowlton, David A Martin, Michael J Mueller, Salim Nathoo, Smart Technologies, Inc., Arvind Sodhani (Mann, Michael) (Entered: 11/10/2011)
11/10/2011	<u>87</u>	NOTICE OF APPEARANCE by Isaac S. Greaney on behalf of APAX Partners Europe Managers Ltd, Apax Partners, L.P., G A Fitch, Robert C Hagerty, Nancy L Knowlton, David A Martin, Michael J Mueller, Salim Nathoo, Smart Technologies, Inc., Arvind Sodhani (Greaney, Isaac) (Entered: 11/10/2011)
11/14/2011	<u>88</u>	NOTICE OF INITIAL PRETRIAL CONFERENCE: Initial Conference set for 12/2/2011 at 11:00 AM in Courtroom 15A, 500 Pearl Street, New York, NY 10007 before Judge Katherine B. Forrest. (Signed by Judge Katherine B. Forrest on 11/14/2011) (jfe) (Entered: 11/14/2011)
11/18/2011	<u>89</u>	CERTIFICATE OF SERVICE of Summons and Amended Complaint,. APAX Partners Europe Managers Ltd served on 11/18/2011, answer due 12/9/2011. Service was accepted by Andrew Stern. Service was made by Mail. Document filed by City of Miami General Employees' and Sanitation Employees' Retirement Trust. (Van Kwawegen, Jeroen) (Entered: 11/18/2011)
11/22/2011	<u>90</u>	ENDORSED LETTER addressed to Judge Katherine B. Forrest from Andrew W. Stern dated 11/21/2011 re: I write on behalf of all Defendants to respectfully request an extension of time for Defendants to respond to Lead Plaintiff's Amended Class Action Complaint. ENDORSEMENT: Defendants shall submit such letter on Nov. 29, and any response by 9 am on December 2, 2011. No further extensions will be granted. (Motions due by 1/6/2012.) (Signed by Judge Katherine B. Forrest on 11/22/2011) (lmb) (Entered: 11/22/2011)
11/29/2011	<u>91</u>	NOTICE OF APPEARANCE by Jonathan Cobb Dickey on behalf of Intel Corporation (Dickey, Jonathan) (Entered: 11/29/2011)
11/29/2011	<u>92</u>	NOTICE OF APPEARANCE by Diana Michelle Feinstein on behalf of Intel Corporation (Feinstein, Diana) (Entered: 11/29/2011)
11/29/2011	<u>93</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Intel Corporation.(Feinstein, Diana) (Entered: 11/29/2011)
11/29/2011	<u>94</u>	NOTICE OF APPEARANCE by Paul Jeffrey Collins on behalf of Intel Corporation (Collins, Paul) (Entered: 11/29/2011)